

11. Approve Amendment #1 to RFP-4106-01/BJC – Maintenance Management System for Public Works with Bender Engineering of Los Alamitos, California (\$150,000.00).

RFP-4106-01/BJC provides for a qualified Service Provider to provide and install a computerized Maintenance Management System (MMS) for Seminole County's Road Operations, Traffic and Stormwater Maintenance Operations. This action will provide the County with additional handhelds, software and programming support for the "MaintStar" Program currently in use. This program provides Road Operations & Stormwater with a daily accountability, advanced scheduling system and costs for activities performed by work crews. The following is a summary of the cost of the project:

Original Contract Sum	\$449,000.00
Add Amendment #1	<u>150,000.00</u>
Revised Contract Sum	\$599,000.00

Funds are available in the following account number(s): 53046000 (Director's Office) and 56064200, 56064100 and 53031000 (Road Operations). Public Works/Roads and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve and authorize the County Manager to execute Amendment #1 as prepared by the County Attorney's Office.

**FIRST AMENDMENT TO MAINTENANCE MANAGEMENT SYSTEM AGREEMENT
(RFP-4106-01/BJC)
PUBLIC WORKS DEPARTMENT**

THIS FIRST AMENDMENT is made and entered into this _____ day of _____, 20____ and is to that certain Agreement made and entered into on the 30th day of July, 2001 between **BENDER ENGINEERING**, whose address is 3535 Farquhar Avenue, Los Alamitos, California 90720, hereinafter referred to as "SERVICE PROVIDER," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the SERVICE PROVIDER and COUNTY entered into the above-referenced Agreement on July 30, 2001 for maintenance management software and vendor technical support for the Public Works Department in Seminole County; and

WHEREAS, the parties desire to amend the Agreement so as to increase the Scope of Services and the amount of compensation paid to the SERVICE PROVIDER, and extend the time for completion of the Scope of Services; and

WHEREAS, Section 19 of the Agreement dated July 30, 2001 provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

NOW, THEREFORE, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. The Scope of Services attached to the Agreement dated July 30, 2001 is increased to provide for the additional services provided in the attached Exhibit "A," which is incorporated by this reference.

2. The COUNTY agrees to compensate SERVICE PROVIDER a not to exceed sum of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00) for the increased Scope of Services. Fees shall be paid as indicated in Exhibit "A," attached.

3. The time for completion of all work required by the Agreement, as amended, is extended September 30, 2006.

4. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed.

BENDER ENGINEERING

Witness

By:_____

Witness

Date:_____

WITNESSES:

SEMINOLE COUNTY, FLORIDA

By:_____
J. KEVIN GRACE, County Manager

Date:_____

For the use and reliance
of Seminole County only.

Within authority of Resolution
No. 93-R-71 adopted February 23,
1993.

Approved as to form and
legal sufficiency.

County Attorney
AC/LPK
2/27/04
1am-rfp-4106

Attachment:
Exhibit "A" - Scope of Services

Bender Engineering Contract

EXHIBIT "A"

Contract Amendment needs to cover:					
1	Additional Maintenance for:				
	2 new modules added FY 01/02 September				
	Electronic Work Order, Work Planning				
		FY 01/02			\$ 2,805
		FY 02/03			\$ 2,805
		FY 03/04	5%		\$ 2,945
		FY 04/05	5%		\$ 3,092
		FY 05/06	5%		\$ 3,247
	9 handhelds FY 01/02 September				
		FY 01/02			\$ 2,655
		FY 02/03			\$ 2,655
		FY 03/04	5%		\$ 2,788
		FY 04/05	5%		\$ 2,927
		FY 05/06	5%		\$ 3,073
	10 handhelds FY 02/03 November				
		FY 02/03			\$ 2,950
		FY 03/04			\$ 2,950
		FY 04/05	5%		\$ 3,253
		FY 05/06	5%		\$ 3,416
	11 handhelds FY 03/04				
		FY 03/04	5%		\$ 3,407
		FY 04/05	5%		\$ 3,577
		FY 05/06	5%		\$ 3,756
	3 handhelds FY 04/05				
		FY 04/05	5%		\$ 976
		FY 05/06	5%		\$ 1,025
2	Additional Software				\$ 20,000
3	Additoinal Handhelds				
	11 Handhelds	FY 03/04	5%		\$ 29,392
	3 Handhelds	FY 04/05	5%		\$ 8,839
	Handhelds - Replacement/Upgrades	FY 05/06	5%		\$ 27,467
4	Programming Support				\$ 10,000
Total Contract Amendment needs to cover:					\$ 150,000